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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/309,360	05/11/1999	MARIO LIM	50329-015	7396

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EXAMINER

JACKSON, JENISE E

ART UNIT	PAPER NUMBER
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2131

DATE MAILED: 05/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/309,360

Applicant(s)

LIM ET AL.

Examiner

Jenise E. Jackson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-36 are rejected under 35 U.S.C. 102(e) as being anticipated by

McManis(5,757,914).

3. As per claims 1, 4, 13, 16, 25, 28, McManis discloses a method of securely invoking an access control function(see col. 1, lines 65-67, col. 2, lines 1-11), receiving a digital signature for the access control function(see col. 2, lines 22-31); generating a mapping of the access control function to the digital signature; determining that the digital signature is mapped to the access control function based on the mapping when execution of the access control function is requested(see col. 2, lines 12-21); generating a digital signature for a retrieved executable element(see col. 3, lines 8-25), determining whether an executable element(i.e. program module B) matches the access control function by comparing the digital signature of the executable element and the digital signature for the access control function; and executing the executable element only when the executable element matches the access control function(see col. 2, lines 22-36, col. 3, lines 8-25, 65-67, col. 4, lines 1-6). The Examiner asserts that McManis discloses wherein a particular class defines an implementation of the access control function, because McManis discloses methods, specifically method(128)(see col. 3, lines 11-12). The Examiner

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asserts that functions in the class typically manipulate the member variables. These member variables are referred to methods of a class. Thus, the methods such as method(128)(see col. 3, lines 17-25), are a part of the class. The Examiner asserts that these methods determine what the objects of the class do. McManis discloses wherein the method further includes returning data to a caller of the executable element after executing the executable element(see col. 4, lines 63-67, see col. 5, lines 18-29).

4. As per claim 2, wherein a particular class defines an implementation for the access control function; wherein the step of receiving a digital signature includes the step of receiving a digital signature for the particular class; and wherein the step of generating a mapping between the particular class and the digital signature, is inherent in McManis, because McManis discloses each application program object instance includes an object header, at least one digital signature, and a main application procedure, called a method(see col. 3, lines 8-25). The Examiner asserts that McManis discloses a class because McManis discloses a method.

5. As per claims 3, 15, and 27, McManis discloses wherein the method further includes the step of detecting that an access control event has occurred; and wherein the step of retrieving the executable element is performed in response to detecting that the event has occurred(see col. 3, lines 59-67, col. 4, lines 1-15).

6. As per claims 7, 14, 26, 31, the method includes generating a mapping of a plurality of access control functions to digital signatures, wherein the plurality of access control functions include the access control function, wherein one or more classes define an implementation for each of the plurality of access control functions; and wherein each of the one or more classes belong to a superclass, because McManis discloses each application program object instance

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includes an object header, at least one digital signature, and a main application procedure, called a method(see col. 3, lines 8-25). The Examiner asserts that McManis discloses a class, and a superclass, because McManis discloses a method.

7. As per claims 8, 19, 32-33, McManis discloses this inherently because, further including the step of invoking a routine defined by a superclass that collects data to return to a caller of the particular class, because McManis discloses each application program object instance includes an object header, at least one digital signature, and a main application procedure, called a method(see col. 3, lines 8-25). The Examiner asserts that McManis discloses a class, and a superclass, because McManis discloses a method.

8. As per claims 9, 20-21, McManis discloses this is inherent, wherein the step of executing the executable element includes invoking a routine defined for the superclass, because McManis discloses each application program object instance includes an object header, at least one digital signature, and a main application procedure, called a method(see col. 3, lines 8-25). The Examiner asserts that McManis discloses a class, and a superclass, because McManis discloses a method.

9. As per claims 10-12, 22-24, 34-36, McManis inherently discloses byte code, because McManis discloses an application program object instance includes an object header, at least one digital signature, and a main application procedure, called a method(see col. 3, lines 8-25). The Examiner asserts that since McManis discloses a method, and these methods are software. The Examiner asserts that bytecode is inherent, in McManis because the encoding of a computer program(i.e. McManis method), is compiled.

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10. As per claims 5-6, 17-18, and 29-30, McManis inherently discloses name-value pairs. The Examiner asserts that with each method that is a corresponding name-value pair(see col. 3, lines 8-25). Thus, the methods such as method(128)(see col. 3, lines 17-25), are a part of the class. The Examiner asserts that these methods determine what the objects of the class do.

Response to Amendment

11. The Applicant states that McManis does not teach or disclose a system that generates a digital signature for a retrieved executable element and determines whether the executable element matches the access control function by comparing the digital signature of the executable element and the digital signature for the access control function. The Examiner disagrees with the Applicant. The Examiner disagrees with the Applicant. McManis discloses generating a message digest of at least a portion the specified program module in accordance with a message digest function, returning a verification confirmation when the decoded digital signature matches the message digest, and returning a verification denial when the decoded digital signature does not match the message digest, thus a comparison of the digital signature is done in McManis(see col. 2, lines 23-36).

12. The Applicant states that McManis does not teach returns data to a caller of the executable element after executing the executable element. Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.

Final Action

13. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

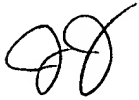
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jenise E. Jackson whose telephone number is (571) 272-3791. The examiner can normally be reached on M-Th (6:00 a.m. - 3:30 p.m.) alternate Friday's.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



April 28, 2005



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